Case 10-19316-mkn Doc 1 Entered 05/20/10 15:24:31 Page 1 of 13

B 1 (Official Form 1) (1/08)							
United States Bas	akruptcy Court			,	oluntary Petit	ion	
Name of Debtor (if individual, enter Last, First, Middle):		Name of Joint Debtor (Spouse) (Last. First. Middle)					
All Other Names used by the Debtor in the last 8 years		Name of Joint Debtor (Spouse) (Last, First, Middle):  Mendozo, EVIVA  All Other Names used by the Joint Debtor in the last 8 years					
(include married, maiden, and trade names):		(include married, maiden, and trade names)					
		Evilyn B. Malong Mendoza					
Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (if more than one, state all):	(ITIN) No./Complete EIN	Last four dig	its of Soc. Sec	or Indvidual-T	axpayer I.D. (I	rin) No./Co	omplete EIN
4700	_	(if more than	one, state all)	209			
Street Address of Debtor (No. and Street, City, and State):		Street Address of Joint Debtor (No. and Street, City, and State):					
8528 Lost Gold Avenue		8528	8528 Lost Gold Avenue				
Las Vegas, NV 89129 ZIP CODE		Las Vegas, NV ZIP CODE					
County of Residence or of the Principal Place of Business: Clark		Zii CODE					
Mailing Address of Debtor (if different from street address):		Mailing Add	County of Residence or of the Principal Place of Business: Clark  Mailing Address of Joint Debtor (if different from street address):				
same	,		Same				
SEEME		Jam					
Location of Principal Assets of Business Debtor (if diffe	ZIP CODE	<u> </u>				ZIP CODE	
	erent from succi address above);				E	ZIP CODE	
Type of Debtor (Form of Organization)	Nature of Busine (Check one box.)	ess	1	hapter of Bank	cruptcy Code (	Jader Whic	:b
(Check one box.)			l_	me Petition 1	s Filed (Check	one box.)	
Individual (includes Joint Debtors)	☐ Health Care Business ☐ Single Asset Real Estati	e as defined in		oter 7 [	Chapter 15 Recognition		
See Exhibit D on page 2 of this form.  Corporation (includes LLC and LLP)	11 U.S.C. § 101(51B)  Railroad		☐ Cha <sub>l</sub>	oter 11	Main Proce	eding	_
Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities,	Stockbroker			oter 12 E oter 13	Chapter 15 Recognition		
check this box and state type of entity below.)	Commodity Broker Clearing Bank		<b>'</b>		Nonmain P	roceeding	-
	Other				ture of Debts		
	Tax-Exempt Ent			•	neck one box.)		
	(Check box, if applic	able.)		re primarily considerined in 11 U.S.		ebts are prinusiness debt	-
	Debtor is a tax-exempt of under Title 26 of the Un	organization	§ 101(8	3) as "incurred by	/an	2311/033 400/	ы.
	Code (the Internal Rever		persons	ual primarily for d, family, or hou			
Filing Fee (Check one box	(c)	T	hold pu	rpose." Chapter 11 I	Dehtore		
☐ Full Filing Fee attached.		Check one be		-			
Filing Fee to be paid in installments (applicable to		i		ness debtor as de			
signed application for the court's consideration cer	rtificing that the debter is	Debtor i	is not a small l	business debtor a	s defined in 11	U.S.C. § 10	1(51D).
unable to pay fee except in installments. Rule 100	6(b). See Official Form 3A.	Check if:					
Filing Fee waiver requested (applicable to chapter	7 individuals only). Must	Debtor's	s aggregate no or affiliates) a	ncontingent liqu re less than \$2,1	idated debts (ex 90,000.	cluding det	nts owed to
attach signed application for the court's considerat	ion. See Official Form 3B.	Check all ap					
		A plan i	s being filed v	with this petition.			i
Statistical/Administrative Information		of credi	tors, in accord	in were solicited lance with 11 U.S	prepetition from S.C. § 1126(b).	n one or mo	re classes
							CE IS FOR
Debtor estimates that funds will be available! Debtor estimates that, after any exempt prope	for distribution to unsecured creatives and administrative	ditors.				COURT U	SE ONLY
distribution to unsecured creditors. Estimated Number of Creditors	try is exertined and admittistrative	e expenses paid	, there will be	no funds availab	le for		
		] [	1				
200-999	5,001-	0,001- 25	,001-	□ 50,001-	Over .	.10	72
Estimated Assets	5,000 10,000 25	5,000 50	0,000	100,000	100,000		- <u>2</u>
		] [	 ]			Alin	=
\$50,000 \$100,000 \$100,001 to \$500,001 \$	\$1,000,001 \$10,000,001 \$3	50,000,001 \$1	00,000,001	\$500,000,001	More than	, 20	E I
1,111	1441		\$500 illion	to \$1 billion	\$1 billion	٦	200
		_				<sup>-</sup> 23	RECEIVED & FILED
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110,000 4500,000 10 \$1			\$500 illion	to \$1 billion	\$1 billion	9	0

Case 10-19316-mkn Doc 1 Entered 05/20/10 15:24:31 Page 2 of 13

Voluntary Detical			Page 2
Voluntary Petiti (This page must t	ion be completed and filed in every case.)	Name of Debtor(s): Mendoza, Hinoli	to + Evilun
	All Prior Bankruptcy Cases Filed Within Last 8 Y	ears (If more than two, attach additional sheet	TOFCUTIVE
Location Where Filed:		Case Number:	Date Filed:
Location		Case Number:	Date Filed:
Where Filed:			
Name of Debtor:	Pending Bankruptcy Case Filed by any Spouse, Partner, or Affil	iste of this Debtor (If more than one, attach ac Case Number:	
		Case Number:	Date Filed:
District:		Relationship:	Judge:
10Q) with the Se	Exhibit A  d if debtor is required to file periodic reports (e.g., forms 10K and courities and Exchange Commission pursuant to Section 13 or 15(d) Exchange Act of 1934 and is requesting relief under chapter 11.)	(To be completed if debtor whose debts are primarily of the petitioner named in the have informed the petitioner that [he or she] 12, or 13 of title 11, United States Code available under each such chapter. I further debtor the notice required by 11 U.S.C. § 342	is an individual consumer debts.)  e foregoing petition, declare that I may proceed under chapter 7, 11, and have explained the relief certify that I have delivered to the
Exhibit A i	is attached and made a part of this petition.	x	
			(Date)
	Exhibit		
Does the debtor of			
	wn or have possession of any property that poses or is alleged to pose	a threat of imminent and identifiable harm to pr	iblic health or safety?
Yes, and E	xhibit C is attached and made a part of this petition.		
No.			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)  Exhibit D completed and signed by the debtor is attached and made a part of this petition.  If this is a joint petition:  Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
Information Regarding the Debtor - Venue  (Check any applicable box.)  Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.			
	2 years of the control of the contro		
Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.)			
	Landlord has a judgment against the debtor for possession of debto	or's residence. (If box checked, complete the fo	llowing.)
(Name of landlord that obtained judgment)			
		(Address of landlord)	
	Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and		
	Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).		

B 1 (Official Form) 1 (1/08)	Page 3			
Voluntary Petition	Name of Debtor(s):			
(This page must be completed and filed in every case.)	Name of Debtor(s): Mendozo Hipolita & Evilyn			
Signatures Signatures				
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative			
·	organist of a volvien vehicecutanise			
I declare under penalty of perjury that the information provided in this petition is true	I declare under penalty of perjury that the information provided in this petition is true			
and correct.	and correct, that I am the foreign representative of a debtor in a foreign proceeding.			
[If petitioner is an individual whose debts are primarily consumer debts and has	and that I am authorized to file this petition.			
chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such	(Check only one box.)			
chapter, and choose to proceed under chapter 7.	(Cheek billy one box.)			
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I	☐ I request relief in accordance with chapter 15 of title 11, United States Code.			
have obtained and read the notice required by 11 U.S.C. § 342(b).	Certified copies of the documents required by 11 U.S.C. § 1515 are attached.			
	Discourant to 11 H C C C 1511 I assessed well of its assessed as with the			
I request relief in accordance with the chapter of title 11, United States Code,	Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the			
specified in this petition.	order granting recognition of the foreign main proceeding is attached.			
x that's Penger				
Signature of DeBtor	X			
* <b>Y</b> / ) [ ]	(Signature of Foreign Representative)			
$\mathbf{x}$				
Signature of Joint Debtor (703) 2412-2001	(Printed Name of Foreign Representative)			
Telephone Virghas (if) as the state of Joint Debtor (702) 243-2504	(*			
Telephone Number (if not represented by attorney)				
Date	Date			
Signature of Attorney*	Standard FN. Aug. D. L. Aug. D. dat. D.			
•	Signature of Non-Attorney Bankruptcy Petition Preparer			
X Signature SAM C D N	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as			
Signature of Attorney for Debtor(s)	defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have			
Printed Name of Attorney for Debtor(s)	provided the debtor with a copy of this document and the notices and information			
	required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum			
Firm Name	fee for services chargeable by bankruptcy petition preparers, I have given the debtor			
Address	notice of the maximum amount before preparing any document for filing for a debtor			
Address	or accepting any fee from the debtor, as required in that section. Official Form 19 is			
	attached.			
Telephone Number	Printed Name and title, if any, of Bankruptcy Petition Preparer			
Date				
Duit	Social-Security number (If the bankruptcy petition preparer is not an individual,			
*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a	state the Social-Security number of the officer, principal, responsible person or			
cernification that the attorney has no knowledge after an inquiry that the information	partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)			
in the schedules is incorrect.				
Circulation of Date (C)	Address			
Signature of Debtor (Corporation/Partnership)				
I declare under penalty of perjury that the information provided in this petition is true	х			
and correct, and that I have been authorized to file this petition on hehalf of the	X			
debtor.				
The debtor requests the relief in accordance with the characteristics.	Date			
The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.				
•	Signature of bankruptcy petition preparer or officer, principal, responsible person, or			
X	partner whose Social-Security number is provided above.			
Signature of Authorized Individual	Names and Casial Cassairy market of all set - 3.3' (4.1)			
Printed Name of Authorized Individual	Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an			
	individual.			
Title of Authorized Individual	_ <del></del> :			
<del></del>	If more than one person prepared this document, attach additional sheets conforming			
Date	to the appropriate official form for each person.			
	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and			
	the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.			
	35th 11 C.C.C. y 110, 16 O.S.C. y 150.			

B 1D (Official Form 1, Exhibit D) (12/09)

### UNITED STATES BANKRUPTCY COURT

In re Mendoza Hipolito	Case No
Debtor	(if known)

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- I. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- In 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.

Page 2

□ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

- ☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
  - ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
  - Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
    - Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor:

Date: <u>5-20-10</u>

Certificate Number: 12459-NV-CC-011040792

12459-NV-CC-011040792

## **CERTIFICATE OF COUNSELING**

I CERTIFY that on May 20, 2010, at 12:46 o'clock PM PDT, Hipolito A. Mendoza received from Abacus Credit Counseling, an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the District of Nevada, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet.

Date: May 20, 2010 By: /s/Laura M Ahart

Name: Laura M Ahart

Title: Credit Counselor

\* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

B 1D (Official Form 1, Exhibit D) (12/09)

## UNITED STATES BANKRUPTCY COURT

In re Mendoza, Evilyn	Case No.
Debtor	(if known)

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- I. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.

B 1D (Official Form 1, Exh. D) (12/09) - Cont.

Page 2

If 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

- 14. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
  - ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
  - Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
    - Active military duty in a military combat zone.
- 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor:

Date:

Certificate Number: 12459-NV-CC-011040795



### **CERTIFICATE OF COUNSELING**

I CERTIFY that on May 20, 2010, at 12:46 o'clock PM PDT, Evilyn B. Mendoza received from Abacus Credit Counseling, an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the District of Nevada, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet.

Date: May 20, 2010 By: /s/Laura M Ahart

Name: Laura M Ahart

Title: Credit Counselor

\* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

WARNING: Effective December 1, 2009, the 15-day deadline to file schedules and certain other documents under Bankruptcy Rule 1007(c) is shortened to 14 days. For further information, see note at bottom of page 2

#### UNITED STATES BANKRUPTCY COURT

## NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

## 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)
Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are

Form B 201A, Notice to Consumer Debtor(s)

Page 2

found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

## <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)
Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at <a href="http://www.uscourts.gov/bkforms/bankruptcy">http://www.uscourts.gov/bkforms/bankruptcy</a> forms.html#procedure.

Many filing deadlines change on December 1, 2009. Of special note, 12 rules that set 15 days to act are amended to require action within 14 days, including Rule 1007(c), filing the initial case papers; Rule 3015(b), filing a chapter 13 plan; Rule 8009(a), filing appellate briefs; and Rules 1019, 1020, 2015, 2015.1, 2016, 4001, 4002, 6004, and 6007.

B 201B (Form 201B) (12/09)

## UNITED STATES BANKRUPTCY COURT

In re Mendoza, Hipolito & Evilyn	Case No.
Destor	Chapter
CERTIFICATION OF NOTIC UNDER § 342(b) OF TI	CE TO CONSUMER DEBTOR(S) HE BANKRUPTCY CODE
Certification of [Non-Attorne I, the [non-attorney] bankruptcy petition preparer signing attached notice, as required by § 342(b) of the Bankruptcy Code.	ey] Bankruptcy Petition Preparer the debtor's petition, hereby certify that I delivered to the debtor the
Printed name and title, if any, of Bankruptcy Petition Preparer Address:	Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person, or partner of the bankruptcy petition preparer.) (Required
X	by 11 U.S.C. § 110.)
Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.	
Certificatio  I (We), the debtor(s), affirm that I (we) have received and Code.	n of the Debtor read the attached notice, as required by § 342(b) of the Bankruptcy
Hipolito A. & Evilyn B. Mendoza Printed Name(s) of Debtor(s)	X Monday 5-20-10 Signature of Debtor Date
Case No. (if known)	X Signature of Joint Debtor (if any) Date
Instructions: Attach a conv. of Form D 2014 Notice to C	

s: Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) only if the certification has NOT been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

#### HIPOLITO A. & EVILYN B. MENDOZA

#### **MATRIX**

LITTON LOAN SERVICING 4828 Loop Central Drive Houston, TX 77081

HSBC CARD SERVICES P.O. Box 17313 Baltimore, MD 21297-1313

GLOBAL CREDIT & COLLECTIONS CORP. 300 International Drive, Suite 100 PMB #10015 Williamsville, NY 14221

WELLS FARGO DEALER SERVICES P.O. Box 25341 Santa Ana, CA 92799-5341

RAPID CASH 3611 North Ridge Road Wichita, KS 67205-1214

DOLLAR LOAN CENTER 3051 N. Rainbow Blvd. Las Vegas, NV 89108

CHASE CARD SERVICES P.O. Box 94014 Palatine, IL 60094-4014

DILLARD'S/GEMB P.O. Box 960012 Orlando, FL 32896-0012

MACY'S P.O. Box 689195 Des Moines, IA 50368-9195